

HOUSE No. 1561

By Mr. Smola of Palmer, petition of Todd M. Smola and Reed V. Hillman for legislation to limit the surcharge amount included in the safe driver insurance plan. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT LIMITING SURCHARGE AMOUNT INCLUDED IN THE SAFE DRIVER INSURANCE PROGRAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The twelfth paragraph of section 113B of chapter 175 of the
2 General Laws, as appearing in the 1998 Official Edition, is hereby
3 amended by inserting, after the second sentence, the following
4 sentence:— In no event shall the aggregate amount of
5 surcharge(s), for an insured, for any preceding five year period,
6 exceed the total amount of claims paid by the insurer or insurers,
7 excluding deductible amounts, during the preceding five year
8 period for claims for property damage liability, collision coverage,
9 limited collision coverage and at-fault accidents, from the
10 insured's policy; provided, however, that if the surcharge amount
11 includes unsafe driver points for other surchargeable incidents,
12 other than those in the preceding sentence, the plan may allow for
13 a surcharge(s) in excess of the total amounts paid in the preceding
14 five years for property damage liability, collision coverage, lim-
15 ited collision coverage and at-fault accidents.